

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION**

**ROBERT ANDY FABER #86204-004**

**CASE NO. 2:19-CV-00199 SEC P**

**VERSUS**

**JUDGE JAMES D. CAIN, JR.**

**UNITED STATES OF AMERICA, ET AL.    MAGISTRATE JUDGE KAY**

**JUDGMENT**

For the reasons stated in the Report and Recommendation [doc. 19] of the Magistrate Judge previously filed herein, and after an independent review of the record, a *de novo* determination of the issues, and consideration of the objections filed herein, having determined that the findings are correct under applicable law;

**IT IS ORDERED** that the Report and Recommendation be **ADOPTED** and that the *Bivens* claim brought against defendant Terrance Smith be severed and transferred to the United States District Court for the Western District of Michigan. Because there are no other claims raised against Smith in this matter, Smith may then be terminated as a party to this suit.

**THUS DONE** in Chambers on this 14th day of November, 2019.

A handwritten signature in black ink, appearing to read 'James D. Cain, Jr.', is written over a horizontal line.

**JAMES D. CAIN, JR.  
UNITED STATES DISTRICT JUDGE**